

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

DONALD E. MORISKY,

Plaintiff,

v.

MMAS RESEARCH, LLC, a Washington limited liability company, STEVEN TRUBOW, an individual, POLINA FEILBACH, an individual, RODNEY WATKINS, an individual, DUSTIN MACHI, an individual, MMAS Research Italy S.R.L. an Italian company, and MMAS Research France, SAS a French company,

Defendants.

NO. 2:21-CV-01301-DWC

**DEFENDANT'S MOTION FOR STAY  
OF THE ORDERS**

NOTE ON MOTION CALENDAR:  
December 8, 2023

**RELEVANT BACKGROUND**

The Court has indicated in its Report and Recommendation Docket 194, dated October 31, 2023, that Defendants may request a stay of this Court's Order Awarding Fees and Costs. That is in reference to this Court's Order in Docket 141 requiring Defendants to pay Sanctions in the amount of \$33,525.92. Order 194 has increased the amount due on December 1, 2023, to \$35,025.92, adding \$1,500.00 for failure to pay. This amount, as Ordered by the Court is due on December 1, 2023. Because Defendants will have trouble in paying that award, Defendants elect to follow the suggestion of the Court and request a stay.

DE( OF THE ORDERS- 1

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1 In parallel to this, in its Order on Motion for Sanctions and Stay, Docket No 195, also  
2 issued on October 31, 2023, the Court Ordered Defendants Counsel to pay sanctions of  
3 \$1320.00 for agreeing to help Plaintiff's Counsel continue his unfinished Deposition of  
4 Steve Trubow when he was sick with Covid. Defendants request that payment of that amount  
5 also be stayed until after trial in this matter.

6 Because all of the requested sanctions emanate from health issues that led to Mr.  
7 Trubow's inability to attend depositions, it is believed that the Court can merge relief from  
8 payment into one Order.  
9

#### 10 **MEMORANDUM IN SUPPORT**

11 Defendants are requesting relief from payment of the Court imposed sanctions until  
12 this matter is fully heard and resolved. This request comports with the Courts Order on  
13 Motion for Sanctions and Stay, Docket 195, (at page 18, footnote 4) advising that nothing in  
14 that Order prohibits Defendants from seeking relief from the deadline of December 3, 2023.  
15 Defendants' entire lack of financial means leads to this request.  
16

17 There is no pernicious aspect to Defendants request for this relief. The sheer inability  
18 to pay these sanctions calls for this to be an overall solution, and this is one that the Court  
19 itself has condoned. A Proposed Order accompanies this Motion.  
20

#### 21 **CONCLUSION**

22 Defendants seek relief from the deadlines for payment of sanctions in a manner that  
23 accords with the rulings of this Court. Relief from the ordered payment by means of a stay  
24 should resolve the issue of pending payment and allow the parties to focus on going forward  
25 with resolution of this matter in trial.

1 Respectfully submitted this 201st day of November, 2023.

2 /s/ Patricia Ray  
3 Pennsylvania Bar # 31989

4 /s/ Brett Harris  
5 Brett Harris, WSBA #55680  
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